

Appln. No. 09/543,750  
Amdt./Response dated August 12, 2004  
Reply to Office Action mailed May 12, 2004

PATENT  
Customer No. 22,852  
Attorney Docket No. 7451.0020-00  
InterTrust Ref. No. IT-30.1

### REMARKS / ARGUMENTS

In response to the Office Action dated May 12, 2004, Applicant respectfully requests the Office to enter the following amendments and consider the following remarks. By this amendment, Applicant amends claims 31 and 65, and cancels claims 1-2, 16-25, 27-30, 36-44, 46, 48-52, 54, 69 and 70 without prejudice. Claims 3-15, 26, 31-35, 45, 47, 53, 55-68 and 71-74 are now pending in this application. Authorization is hereby given to charge any fees (e.g., extension fees) associated with this response to Deposit Account No. 06-0916.

In the Office Action, the Examiner: (i) objected to claim 31 because step "1" appears to be mislabeled; (ii) rejected claim 65 under 35 U.S.C. § 112, second paragraph, due to insufficient antecedent basis for the limitation "second stored check value"; (iii) rejected claims 1-2, 16-25, 27-30, 36-44, 46, 48-52, 54, 69 and 70 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Gennaro U.S. Patent No. 6,009,176 in view of Fraser U.S. Patent No. 5,835,595 in view of Schneier "Applied Cryptography"; (iv) allowed claims 3-15, 31-35, 55-68 and 71-74; and (v) indicated that claims 26, 45, 47 and 53 would be allowable if rewritten in independent form.

#### Objection to claim 31

Applicant has amended claim 31 in the manner recommended by the Examiner, changing step "(1)" to read step "(j)", as it should.

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35 U.S.C. § 112 Rejection

Claim 65 stands rejected under 35 U.S.C. § 112, second paragraph, due to insufficient antecedent basis for the limitation "second stored check value" in line 1. Applicant has amended claim 65 to depend from claim 64, which provides suitable antecedent basis for the "second stored check value" limitation.

35 U.S.C. § 103(a) Rejection

Claims 1-2, 16-25, 27-30, 36-44, 46, 48-52, 54, 69 and 70 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Gennaro U.S. Patent No. 6,009,176 in view of Fraser U.S. Patent No. 5,835,595 in view of Schneier "Applied Cryptography."

In the interest of expediting issuance of the allowed claims and without acquiescing to the correctness of any aspect of such rejection, Applicants hereby cancel all of the claims subject to this § 103 rejection, without prejudice. Applicants, thus, respectfully submit that the instant rejection is rendered moot.

**CONCLUSION**

In view of the foregoing remarks, Applicants submit that all of the remaining claims of the instant invention are in condition for allowance. Applicants therefore request the entry of this Amendment, reconsideration and reexamination of the application, and the timely allowance of the pending claims.

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Please grant any extensions of time required to enter this response and  
charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: August 12, 2004

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